

## **RESPONSE AND REMARKS**

### SECTION 101

In the Office Action, Claims 18-23 were rejected under 35 U.S.C. § 101, according to an assertion that the claims overlap two statutory classes of invention. According to the Office Action, "[t]he preamble of the claims state 'system', however, the body of the claims indicates 'method' steps." Office Action, Topic No. 1, p. 2.

### SECTION 112

In the Office Action, Claims 18-23 were rejected under 35 U.S.C. § 112, according to an assertion that Claims 18-23 are indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. According to the Office Action, "[t]he claims are directed to a 'system'; however, the bodies of the claims fail to recite the corresponding structural elements of the system." Office Action, Topic Nos. 2-3, p. 2.

### RESPONSIVE REMARKS REGARDING SECTION 101 and Section 112 REJECTIONS

The rejections of Claims 18-23 under Sections 101 and 112 have been carefully considered. Claims 18, and 21-23, have been amended to more distinctly recite the claimed invention; Claims 19-20 have been cancelled. It is respectfully submitted that Claims 18, and 21-23 have been amended to recite methods. It is respectfully asserted that the amendments to Claims 18-23 resolve the rejections under Sections 101 and 112.

### SECTION 102(e)

In the Office Action, Claims 1-24 were rejected under 35 U.S.C. § 102(e) as being anticipated by Montgomery et al. (U.S. Application Publication No. 2003/0101143 A1; "Montgomery"). Office Action, Topic Number 2 of Claim Rejections, p. 3.

RESPONSIVE REMARKS REGARDING SECTION 102(e) REJECTIONS

The rejections of Claims 1-24 under Section 102(e) have been carefully considered. Claims 1-5, 7-12, 18, and 21-24, have been amended to more distinctly recite the claimed invention; Claims 19-20 have been cancelled. For the reasons given below, it is respectfully asserted that none of the references of record disclose, anticipate, teach or suggest all of the limitations of the Claims, as amended.

Amended Claim 1 recites, among other things:

... receiving from a postal authority, a mailing subscriber identifier assigned by the postal authority, the mailing subscriber identifier corresponding to the first class mail piece tracking provider, the mailing subscriber identifier corresponding to an authorization by the postal authority for tracking first class mailings by the first class mail piece tracking provider ...

It is respectfully asserted that neither Montgomery, nor any of the other references of record, whether taken alone or in combination, disclose, anticipate, teach or suggest the above-recited limitation of amended Claim 1.

It is true that Montgomery discloses generating a tracking ID. However, it is respectfully asserted that the amended Claims of the present application do not merely claim generating a tracking ID.

Rather, as compared to the tracking ID disclosed by Montgomery, amended Claim 1, for example, claims a first class mail piece tracking identifier that corresponds to a mailing subscriber identifier that in turn corresponds "... to an authorization by the postal authority for tracking first class mailings by the first class mail piece tracking provider ...."

Amended Claim 1 further recites, among other things:

... determining a next available mailing identifier for which a combination of a destination tracking service type, the mailing subscriber identifier, the next available mailing identifier, and the delivery address identifier corresponding to the delivery address, would trackably identify the particular first class mail piece during a particular period of time ...

Montgomery discloses that "[f]or package mail that contains a unique delivery tracking ID, the ideal unique [tracking ID] character string for the indicium

is the tracking ID itself.” Montgomery, ¶ [0033]. It is respectfully submitted that , according to Montgomery, the purpose of the Montgomery tracking ID is for “... providing a unique postage indicium within a postal system ... for detecting postal fraud.” Montgomery, ¶¶ [0035] – [0036].

Although Montgomery names the character string proposed in Montgomery to be useful in detecting postal fraud a “tracking ID,” it is respectfully asserted that Montgomery does not disclose that, other than for package mail that contains a unique delivery tracking ID, that the relevant postal authority would provide tracking feedback for a tracking ID generated by Montgomery. In particular, according to Montgomery, “[i]f the self-validating postage indicia on tracked mail pieces are only spot-checked, the tracking ID obtained from the validated postage indicium can be compared to a standard tracking ID found elsewhere on the mail piece ....” Montgomery, ¶ [0033].

As compared to the character string called a tracking ID in Montgomery, It is respectfully asserted that Claim 1, for example, specifically claims that “...the mailing subscriber identifier correspond[s] to an authorization by the postal authority for tracking first class mailings by the first class mail piece tracking provider ....” As explained in the Specification of the present application, “CONFIRM® service is a product offered by the United States Postal Service.... CONFIRM® is a mail tracking service of PLANET™ Codes that provides electronic tracking information to USPS customers about their First-Class, Standard letter-size, flat mail and periodicals.” Specification, p. 1, line 25 – p. 2, line 1. As compared to the character string called a tracking ID in Montgomery that is only spot-checked to detect fraud, as further explained in the Specification of the present application:

As each mail piece progresses through to its destination, the CONFIRM® barcode on each mail piece is scanned at the different USPS processing facilities through which it passes. Electronic information for each scan is captured and is sent to a centralized network service, which collects the scan data and packages it for use by USPS customers. The electronic scan information is then electronically transferred from the centralized network and is made available in two ways: through accessing a PLANET™ Codes website or via transmission of electronic files sent to subscribing USPS customers.

Specification, p. 2, lines 18-25.

It is respectfully asserted that, in view of the above-outlined distinctions between the claimed limitations and Montgomery, that Claim 1 as amended, and therefore the Claims dependent on Claim 1, namely, Claims 2-7, are in condition for allowance.

Similar to Claim 1, amended independent Claim 8 claims a first class mail piece tracking identifier that corresponds to a mailing subscriber identifier that in turn corresponds "...to an authorization by the postal authority for tracking first class mailings by the first class mail piece tracking provider ...." Therefore, for reasons similar to those given above for Claim 1, it is respectfully asserted that independent Claim 8 as amended, and therefore the Claims dependent on Claim 8, namely Claim 9, are in condition for allowance.

Further, similar to Claim 1, amended independent Claim 10 claims a first class mail piece tracking identifier that "...trackably identifies the particular first class mail piece during a particular period of time ...." Therefore, for reasons similar to those given above for Claim 1, it is respectfully asserted that independent Claim 10 as amended, and therefore the Claims dependent on Claim 10, namely Claims 11-12, are in condition for allowance.

Yet further, similar to Claim 1, amended independent Claim 13 claims a "... next available first class mail piece identifier for which a combination of a destination tracking service type, a mailing subscriber identifier corresponding to an authorization by a governmental postal authority for tracking first class mailings, the next available first class mail piece identifier, and the delivery address identifier corresponding to the delivery address, would trackably identify the particular first class mail piece during a particular period of time." Therefore, for reasons similar to those given above for Claim 1, it is respectfully asserted that independent Claim 13 as amended, and therefore the Claims dependent on Claim 13, namely Claims 14-17, are in condition for allowance.

Still further, similar to Claim 1, amended independent Claim 18 claims "...printing a first class mail piece tracking identifier for the particular first class mail piece, wherein the first class mail piece tracking identifier comprises: a

mailing subscriber identifier corresponding to an authorization by a governmental postal authority for tracking first class mailings, a mailing identifier, and a delivery address identifier corresponding to the delivery address, wherein the delivery address is trackably unique within a combination of the subscriber identifier and the mailing identifier during a particular period of time.” Therefore, for reasons similar to those given above for Claim 1, it is respectfully asserted that independent Claim 18 as amended, and therefore the Claims dependent on Claim 18, namely Claims 21-22, are in condition for allowance.

Further yet, similar to Claim 1, amended independent Claim 23 claims “... retrieving from a plurality of electronic first class mail piece identifier representations, an electronic first class mail piece identifier that matches a particular first class mail piece identifier that trackably identifies a particular first class mail piece during a particular period of time.” Therefore, for reasons similar to those given above for Claim 1, it is respectfully asserted that independent Claim 23 as amended is in condition for allowance.

Further still, similar to Claim 1, amended independent Claim 24 claims “...assigning a composite confirm identifier to a particular first class mail piece wherein said composite confirm identifier trackably identifies the particular mail piece during a particular period of time; and relating the composite confirm identifier for the particular first class mail piece to a particular mailer.” Therefore, for reasons similar to those given above for Claim 1, it is respectfully asserted that independent Claim 24 as amended is in condition for allowance:

#### CONCLUSION

In view of the foregoing amendments, and for the foregoing reasons, it is respectfully submitted that the invention disclosed and claimed in the present application, as amended, is not fairly taught by any of the references of record, taken either alone or in combination, and that the application is in condition for

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allowance. Accordingly, reconsideration and allowance of the application as amended herewith is respectfully requested.

Respectfully submitted,

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